

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MATTHEW G. SILVA,  
Plaintiff,  
v.  
CARLA SCHETTLER, *et al.*,  
Defendants.

NO. CV-08-5041-EFS

**ORDER DENYING PLAINTIFF'S  
MOTION FOR RELIEF FROM  
JUDGMENT**

Plaintiff Matthew Silva seeks relief from the judgment (Ct. Rec. [38](#)) entered in Defendants' favor. (Ct. Rec. [48](#)). In addition, Plaintiff requests oral argument. (Ct. Rec. [56](#).) Upon review, the Court denies Plaintiff relief. First, the Court finds oral argument is unnecessary. Second, the Court determines relief from the judgment is not appropriate pursuant to Federal Rule of Civil Procedure 60(b). The Court maintains its decision that Plaintiff's failure to abide by Washington State Petitionary's grievance system warrants dismissal of this action without prejudice.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Shorten Time Re Motion for Oral Argument of Rule 60(b) Motion (Ct. Rec. [55](#)) is **GRANTED**.

2. Plaintiff's Motion for Oral Argument of Rule 60(b) Motion (Ct. Rec. [56](#)) is **DENIED**.

